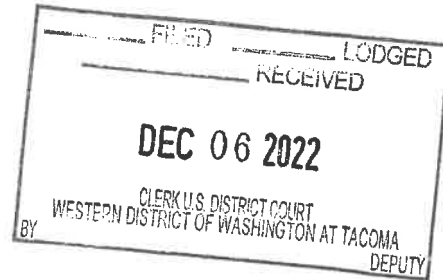


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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

DEAN M COLBRA

CASE NO. 2:22CV1729-TL
[to be filled in by Clerk's Office]

COMPLAINT FOR A CIVIL CASE

Jury Trial: ☒ Yes ☐ No

Plaintiff(s),

v.

Kiewit
INFRASTRUCTURE
WEST

Defendant(s).

I. THE PARTIES TO THIS COMPLAINT

A. Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Street Address

City and County

State and Zip Code

Telephone Number

DEAN M COLBRA
3251 S. 176TH ST APT 105
SEA-TAC King
WASHINGTON 98188
907-347-2674

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1 B. Defendant(s)

2 Provide the information below for each defendant named in the complaint, whether the
 3 defendant is an individual, a government agency, an organization, or a corporation. For an
 4 individual defendant, include the person's job or title (if known). Attach additional pages if
 5 needed.

6 Defendant No. 1

7 Name

Kiewit Infrastructure West

8 Job or Title (if known)

9 Street Address

33455 Weyerhaeuser Way South

10 City and County

Federal Way King

11 State and Zip Code

WASHINGTON 98003

12 Telephone Number

13 Defendant No. 2

14 Name

15 Job or Title (if known)

16 Street Address

17 City and County

18 State and Zip Code

19 Telephone Number

20 Defendant No. 3

21 Name

22 Job or Title (if known)

23 Street Address

24 City and County

State and Zip Code

Telephone Number

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Defendant No. 4

Name

Job or Title (if known)

Street Address

City and County

State and Zip Code

Telephone Number

II. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

29 C.F.R. § 1630.2(i) Title VII of the Civil Rights Act 1964 for employment discrimination
42 U.S.C. Section 2000e-5 (WPA) 5 U.S.C. § 2302(b)(8)
15 U.S.C. § 2087 29 U.S.C. § 660(c) 29 C.F.R. Part 1630
42 U.S.C. 12116 & 12205A

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B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual.

The plaintiff (name) DEAN M COLBRAY, is a citizen of the
State of (name) WASHINGTON.

b. If the plaintiff is a corporation.

The plaintiff, (name) _____, is incorporated under
the laws of the State of (name) _____, is incorporated under
the laws of the State of (name) _____, and has its principal
place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual.

The defendant, (name) Kiewit Infrastructure ^{WEST}, is a citizen of the
State of (name) WASHINGTON. Or is a citizen of
(foreign nation) _____.

b. If the defendant is a corporation.

The defendant, (name) Kiewit Infrastructure ^{WEST}, is incorporated under
the laws of the State of (name) WASHINGTON, and has its principal
place of business in the State of (name) WASHINGTON.

Or is incorporated under the laws of (foreign nation) _____,
and has its principal place of business in (name) Kiewit Infrastructure ^{WEST}.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

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3. The Amount in Controversy.

The amount in controversy-the amount the plaintiff claims the defendant owes or the amount at stake-is more than \$75,000, not counting interest and costs of court, because (explain):

LOSS PAY, PAIN & Sufferings, ^{LOSS} benefits package
 emotional, distress, Mental Anguish,
 BREACH of contract 136,000,000. And 0 cents
 DISCRIMINATION ~~Retaliation~~ Because of color, age
 and ADA, RACE, physical impairment, RETALIATION
 III. STATEMENT OF CLAIM for speaking up
 Since MAY 2007 to present

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Told them about safety violation and COVID
 OR Adhered to
 Policies they did not implement, ask for email addresses
 for superintendent they refused & broke my phone
 Lay-off off over me reporting safety violations in past
 Wrongful Termination IV. RELIEF said something about my age

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

back pay, emotional distress, Damaged Reputation,
 Front pay, lost future earnings, punitive damages
 compensatory damages, interest, ^{LOSS} of quality
 of life

V. CERTIFICATION AND CLOSING

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper

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1 purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation;
2 (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or
3 reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so
4 identified, will likely have evidentiary support after a reasonable opportunity for further
5 investigation or discovery; and (4) the complaint otherwise complies with the requirements of
6 Rule 11.

7 I agree to provide the Clerk's Office with any changes to my address where case-related
8 papers may be served. I understand that my failure to keep a current address on file with the
9 Clerk's Office may result in the dismissal of my case.

Date of signing:

12-6-2022

Signature of Plaintiff



Printed Name of Plaintiff

DEAN M COLBRAY

Date of signing:

Signature of Plaintiff

Printed Name of Plaintiff

Date of signing:

Signature of Plaintiff

Printed Name of Plaintiff



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Seattle Field Office
909 First Avenue, Suite 400
Seattle, WA 98104
(206) 576-3000
Website: www.eeoc.gov

DETERMINATION AND NOTICE OF RIGHTS

(This Notice replaces EEOC FORMS 161 & 161-A)

Issued On: 09/07/2022

To: Dean Colbray
3251 S 176th Apt 105
Seatac, WA 98188

Re: EEOC Charge No: 551-2022-05488, Colbray v. Kiewit

EEOC Representative and email: Joslyn Burchett
Investigator
joslyn.burchett@eeoc.gov

DETERMINATION OF CHARGE

The EEOC issues the following determination: The EEOC will not proceed further with its investigation and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.

NOTICE OF YOUR RIGHT TO SUE

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice.** Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

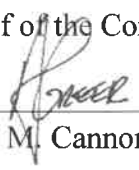
If you file a lawsuit based on this charge, please sign-in to the EEOC Public Portal and upload the court complaint to charge 551-2022-05488.

Please retain this notice for your records.

On Behalf of the Commission

September 7, 2022

Date

 for
Elizabeth M. Cannon
Director

CC: Kiewit